BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Resolution Adopting New Regulations Regarding Public Access to Records of the California Public Utilities Commission and Requests for Confidential Treatment of Records	Draft Resolution No: L-436

COMMENTS OF THE COMMUNICATIONS INDUSTRY COALITION ON REVISED DRAFT RESOLUTION L-436 AND PROPOSED GENERAL ORDER 66-D ISSUED JULY 13, 2012

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For CTIA-The Wireless Association®

Dated: July 27, 2012

AT&T,[1] California Cable & Telecommunications Association, Cox California Telcom, LLC, CTIA-The Wireless Association®, Frontier Communications,[2] the Small LECs,[3] SureWest Telephone, tw telecom of california lp, and Verizon[4] (collectively, the "Communications Industry Coalition") submit these comments on the Revised Draft Resolution L-436 issued July 13, 2012 ("Revised Draft Resolution").

I. INTRODUCTION

The Revised Draft Resolution does not meaningfully address the concerns and legal infirmities that the Communications Industry Coalition identified in its April Comments[5] on the original Draft Resolution. In particular, the Revised Draft Resolution continues to misconstrue Public Utilities Code Section 583 in a manner that would render the statute meaningless in violation of established canons of statutory interpretation and override Commission orders.[6] Moreover, as explained below, the Revised Draft Resolution erroneously concludes that existing General Order ("GO") 66-C is illegal because the "undue business disadvantage" exemption

[1] As used herein, "AT&T" refers to the following AT&T entities: Pacific Bell Telephone Company d/b/a AT&T California (U 1001 C), AT&T Communications of California, Inc. (U 5002 C); TCG San Francisco (U 5454 C); TCG Los Angeles, Inc. (U 5462 C); and TCG San Diego (U 5389 C).

[2] As used herein, "Frontier Communications" refers to the following entities: Citizens Telecommunications Company of California Inc. d/b/a Frontier Communications of California (U 1024 C), Frontier Communications West Coast Inc. (U 1020 C), and Frontier Communications of the Southwest Inc. (U 1026 C).

[3] As used herein, "Small LECs" refers to the following entities:: Calaveras Telephone Company (U 1004 C), Cal-Ore Telephone Co. (U 1006 C), Ducor Telephone Company (U 1007 C), Foresthill Telephone Co. (U 1009 C), Happy Valley Telephone Company (U 1010 C), Hornitos Telephone Company (U 1011 C), Kerman Telephone Co. (U 1012 C), Pinnacles Telephone Co. (U 1013 C), The Ponderosa Telephone Co. (U 1014 C), Sierra Telephone Company, Inc. (U 1016 C), The Siskiyou Telephone Company (U 1017 C), Volcano Telephone Company (U 1019 C) and Winterhaven Telephone Company (U 1021 C).

[4] As used herein, "Verizon" refers to the following Verizon entities: Verizon California Inc. (U 1002 C), MCImetro Access Transmission Services LLC (U 5253 C), MCI Communications Services, Inc. (U 5378 C), and Cellco Partnership (U 3001 C) dba Verizon Wireless.

[5] Comments of the Communications Industry Coalition on Draft Resolution L-436 and Proposed General Order 66-D (April 25, 2012). These comments are hereby incorporated by reference with respect to the Revised Draft Resolution.

[6] *See e.g., Re Mitigation of Local Rail Safety Hazards Within California*, Decision No. 97-09-045, *Opinion*, 75 Cal. P.U.C.2d 1 (Sept. 3, 1997).

contained therein is not included in the California Public Records Act ("CPRA").[7] Nonetheless, the Communications Industry Coalition appreciates the commitment expressed both by Commission staff at the June 19th workshop and in the Revised Draft Resolution that the goal of the revisions is to provide "clear and consistent rules for processing record requests and requests for confidential treatment of records."[8] The Communications Industry Coalition supports the Commission's intention to proceed in "as careful and detail-oriented [a manner] as possible" to ensure that it "can to the greatest extent practical reduce uncertainties on all sides regarding whether specific types of information submitted to, or generated by, the CPUC will be made available to the public."[9]

Given the magnitude of the changes proposed in the Revised Draft Resolution, the process of establishing specific and clear rules – including specific and clear exemptions – must be completed before the new General Order becomes effective in order to eliminate unnecessary and harmful uncertainties that the Revised Draft Resolution seeks to avoid.[10] The Communications Industry Coalition strongly recommends that the Commission convene a workshop to address whether there is a need to change the Commission's confidentiality rules, whether any proposed rules are cost-justified, and if new rules are needed, to provide sufficient guidance for implementation of those rules.

The completion of a more detailed analysis through workshops is consistent with the Commission's intent, as the Revised Draft Resolution is self-characterized as "a work in progress" rather than a final product.[11] Proceeding with issuance of GO 66-D before workshops

[7] Revised Draft Resolution at 7.
[8] *Id.* at 1.
[9] *Id.* at 24.
[10] Pending legislation, AB 1541 (Dickinson), would clarify section 583 to include exemptions to public disclosure requirements.
[11] Revised Draft Resolution at 14.

would create significant administrative confusion regarding the status of utility documents held by the Commission. Moreover, as explained below, the Revised Draft Resolution would improperly delegate significant authority to staff, but important details regarding implementation have not yet been addressed.[12] In this situation, the Commission's first step should be to focus on those elements of the Revised Draft Resolution tailored to assure public access to safety-related records. The Communications Industry Coalition supports the Commission addressing disclosure of safety-related documents on a priority basis before considering other revisions to its confidentiality rules.

II. THE REVISED DRAFT RESOLUTION PRESENTS LEGAL ERRORS AND INSTITUTES AN AMBIGUOUS AND OVERLY BURDENSOME PROCESS FOR THE TREATMENT OF CONFIDENTIAL DOCUMENTS.

A. The Revised Draft Resolution Contains Fatal Legal Flaws.

The Revised Draft Resolution fails to correct legal errors that parties raised regarding the original Draft Resolution. As explained in the April Comments, the Revised Draft Resolution misconstrues Section 583 to reverse the statutory presumption of confidentiality afforded to documents submitted by providers to the Commission and repeals existing GO 66-C that has been the law observed by the Commission for decades, finding, among other things, that the general order is illegal.[13] These conclusions are factually and legally incorrect and are not based on any record established in connection with the Revised Draft Resolution or its predecessor Draft Resolution. The Revised Draft Resolution's findings also directly contradict the Commission's prior approval of GO 66-C as the appropriate legal guideline to govern the

[12] *See, e.g., id.* at 3 (indicating the Commission's intention to "make a number of the provisions of our new regulations effective only after certain resources are available" but not specifying which regulations will have delayed implementation); 12-14 (indicating the Commission's intention to have CPSD post on the Commission's website a number of listed documents "after appropriate redactions" but does not say what those redactions are or how they will be determined); 29 (suggesting that staff guidance will be provided through the development of the industry matrices).

[13] *Id.* at 7, 33 (Finding of Fact 1).

exchange of documents between providers and the Commission. The Commission has the authority under Sections 583 and 701[14] to observe a business disadvantage exemption. Such a provision does not have to be included in the CPRA in order for the Commission to afford confidential treatment to documents falling within a categorical exemption.

B. The Revised Draft Resolution Enacts a Confusing, Complex Process for Confidentiality Requests, Thereby Exposing Providers to Undue Competitive Harms.

The Revised Draft Resolution represents that the existing Commission procedures for "Formal Commission Proceeding[s], Advice Letter Filings and other contexts in which the Commission has established a specific procedure"[15] shall continue to exist, but GO 66-D in fact creates a new procedure to be followed in all contexts. The Revised Draft Resolution arbitrarily eliminates the protection of competitively-sensitive information in all contexts because providers can no longer rely upon well-established GO 66-C categories to request protective treatment of their records.

In addition, the Revised Draft Resolution adopts an unnecessary and convoluted process for seeking protection of materials in those situations where a specific Commission procedure has not been adopted. The new GO 66-D process would require that: (1) companies complete forms claiming confidentiality for each document where such designation is sought, regardless of whether it is the subject of a CPRA request; (2) the appropriate Commission Division make a determination regarding the claimed confidentiality of the document in an unspecified period of time; (3) the company be given ten days to appeal the decision of the Commission's Division regarding confidentiality; and (4) the appeal be addressed in a resolution. This new process will

[14] Pub. Util. Code §701 ("The commission may supervise and regulate every public utility in the State and may do all things, whether specifically designated in this part or in addition thereto, which are necessary and convenient in the exercise of such power and jurisdiction.").
[15] Proposed GO 66-D, Section 1.4.1.

revise what is now a streamlined process into "one that is incredibly burdensome to all involved, full of delays and substantial negotiations and procedures, and one that will likely produce less information to the Commission (let alone to the public)."[16] The process creates uncertainty regarding whether documents will be kept confidential that will, in turn, chill providers' willingness to share documents. In addition, the process will overwhelm Commission staff and providers with burdensome requirements to implement and maintain this process. As a result, it is likely that far more disputes will arise over confidentiality issues than have ever occurred in the past.

The Revised Draft Resolution's replacement of GO 66-C with GO 66-D is particularly damaging to communications providers because GO 66-D does not include the exemption in GO 66-C, Section 2.2(b), prohibiting the disclosure of documents that if made publicly available, would place companies at an undue business disadvantage. As the Commission has repeatedly found, communications providers operate in a highly competitive environment.[17] The disclosure of competitive information places these providers at a disadvantage in marketing and selling their services. As discussed at the June 19th workshop addressing the Draft Resolution, the Commission's Administrative Law Judges regularly rule on motions to place under seal confidential documents, based on evidence presented by the parties regarding the competitively sensitive nature of the documents at issue.[18] Providers also rely on this section of the General Order in responding to informal data requests issued by staff. Thus, Section 2.2(b) provides critically important protections for providers in formal and informal contexts at the Commission. Without the protections of Section 66-C, the Commission's process could be used by a provider

[16] April Comments at 19.
[17] *See, e.g.,* D.06-08-030 (URF decision), *mimeo*, at 265 (Findings of Fact 50, 51).
[18] *See also* April Comments at 16-19.

for the sole purpose of obtaining confidential documents about its competitors. This would harm both providers and the public.

The new procedures in GO 66-D for handling confidentiality requests are also insufficiently defined. GO 66-D would initiate a Public Records Office ("PRO") Resolutions process to authorize the public disclosure of information that providers submit to the Commission. Section 3.3 of GO 66-D provides inadequate guidance regarding the PRO Resolution process, envisioning that the process will identify "each request for confidential treatment received during a given period, and the status of the request."[19] Yet the Revised Draft Resolution also contemplates that the PRO Resolution "may also serve as a vehicle to place requests for confidential treatment, and any protests of such treatment, directly before the Commission for appropriate action."[20] It appears that GO 66-D contemplates two processes for parties to request confidential treatment, one within the staff's purview and the other directly handled by the Commission. The procedures for initiating and evaluating these requests for confidential treatment must be clearly articulated prior to adoption of GO 66-D. Moreover, it is not clear whether the PRO process will adequately address all requests for confidential treatment. These ambiguities in Section 3.3 of GO 66-D underscore the need for workshops to fully vet and consider the potential implications of implementing a new procedural process.

C. The Approach in the Revised Draft Resolution Does Not Survive a Cost/Benefit Analysis.

Under Section 321.1 of the California Public Utilities Code, the Commission must find that the benefits of any new rules outweigh the burdens. The purported benefit of adopting GO 66-D is that the new process will give the Commission sufficient information to decide if the

[19] Proposed General Order 66-D at Section 3.3 – Public Records Office Resolutions.
[20] *Id.*

document should be released when and if a CPRA request for that particular document is received. The costs of implementing the burdensome procedures contemplated by GO 66-D -- procedures not limited to addressing CPRA requests, but applicable to all requests for confidential treatment of information submitted to the Commission -- cannot be justified by the limited potential benefits, at least as applied to the communications industry.

Moreover, from December 23, 2008 to June 28, 2012, only approximately 1.4% of the CPRA Requests received by the Commission appear to have involved telecom-related confidential information.[21] Specifically, in that timeframe, the Commission received approximately 700 CPRA requests. Of those requests, 66 appear to be telecommunications-related. Of that limited number, roughly 50 appear to have been for Commission records rather than provider records.[22] Of the remainder, fewer than 10 could have implicated confidential materials and/or claims of confidentiality, and it is not clear that any of them actually did involve such material. These numbers demonstrate that there is no pressing need to change the manner in which the Commissions treats all requests for confidentiality of communications-related documents outside of the context of a CPRA request.

The proposed process would require confidentiality determinations regarding thousands of records each year. This system would impose extraordinary and unjustified burdens as opposed to the current procedure, which calls for confidentiality determinations only when CPRA requests are received. There is simply no need to remove the protections of Section

[21] Following the June 19, 2012 workshop, Fred Harris of the Commission's Legal Division provided the Communications Industry Coalition with a detailed matrix showing all of the CPRA requests and the CPUC's responses from December 2008 to the present.

[22] The vast majority of CPRA requests in general are for Commission records or for utility documents held by the Commission that are clearly not confidential.

2.2(b) of GO 66-C just to address an average of three communications-related confidentiality request per year.

Consistent with the demonstration above that the revisions in GO 66-D are not merited, discussions at the June 19th workshop revealed that the experience of another governmental entity does not support a burdensome process that requires the Commission staff to make a determination regarding the confidentiality of the vast amount of material it receives. As stated by counsel for the City and County of San Francisco at the June 19th workshop, it is unnecessary to collect information regarding all documents received and make individualized determinations about each and every document. Rather, the more practical approach is to contact the provider of the document once a CPRA request is received for that particular document. The Revised Draft Resolution does not adopt such an approach. Instead, it retains the burdensome process set forth in the original Draft Resolution that creates burdens not outweighed by any benefits. Accordingly, it must be rejected pursuant to Section 321.1.

D. The Revised Draft Resolution Improperly Delegates Confidentiality Decisions to Staff Without Adequate Guidance to Support That Delegation.

The proposed GO 66-D establishes a new process under which Commission staff is delegated the authority to make initial determinations on requests for confidential treatment of records. Such delegation of authority to staff to assess the confidential nature of certain utility information – absent clear Commission guidance – would result in extensive delays, confusion, and potentially lead to legal error.

Public Utilities Code Section 583 requires an order of the Commission or a Commissioner in the course of a hearing or proceeding before release of any information provided by a utility to the Commission, unless the information is otherwise required to be public

by Article 5 of the Public Utilities Code.[23] To the extent the Revised Draft Resolution would allow staff to release documents without a Commission order, it would violate Section 583. Commission staff cannot issue orders in areas that are, as in the case of confidentiality determinations, statutorily assigned to the Commission itself.

Even if the Commission relies on the staff to make preliminary discretionary determinations that it will later review and ratify through the newly-created PRO Resolutions process,[24] the Commission should provide adequate guidance to staff, or staff will be unable to carry out its task. As noted in the Revised Draft Resolution, the Commission "has confidence in its authority to delegate to staff responsibility to carry out its General Orders and other directives, *as long as it provides sufficient guidance."*[25] The Revised Draft Resolution, however, does not provide such guidance. Rather, Section 3.1.2 of proposed GO 66-D would repeal the Commission's established categories of confidential information in GO 66-C, substituting nothing in its place. Without such guidance or categories, staff will not be able to engage in the "ministerial task" (as GO 66-D describes) of comparing a request for confidential treatment to a Commission order that "identif[ies] specific program-related classes of records or information as confidential."[26]

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[23] Pub. Util. Code Section 583 ("[n]o information furnished to the commission by a public utility. . . except those matters specifically required to be open to public inspection by this part, shall be open to public inspection or made public except on order of the commission, or by the commission or a commissioner in the course of a hearing or proceeding.").

[24] Proposed General Order 66-D at Section 3.3 – Public Records Office Resolutions.

[25] Revised Draft Resolution at 29 (emphasis added).

[26] *See* Proposed General Order 66-D at Section 3.1.2. Given that the Commission is the entity with the power to determine whether records or information should be made public, it cannot delegate such discretionary power to subordinates. *See Bagley v. City of Manhattan Beach* (1976), 18 Cal.3d 22, 24; *California School Employees Association v. Personnel Commission* (1970), 3 Cal.3d 139, 144. An agency may delegate to subordinates, however, the performance of ministerial tasks such as investigation or determination of facts preliminary to agency action or the application of standards that were set by the agency. *See California School Employees, supra*, at 144; *Bagley, supra*, at 25.

The Revised Draft Resolution itself acknowledges that interpreting whether certain information should be made public is not a straightforward task and that delegation to staff requires "sufficient guidance."[27]

> Our recognition of the potential for *different interpretations of laws, regulations and decisions* requiring information to be public, or to be confidential, leads us to the conclusion that *we should be as careful and detail-oriented as possible when developing new disclosure/confidentiality matrices*, so that we can to the greatest extent practical reduce uncertainties on all sides regarding whether specific types of information submitted to, or generated by, the CPUC will be made available to the public.[28]

Moreover, the Revised Draft Resolution reasons, "[o]nce such detailed matrices are established, . . . after additional workshops and comments, we would anticipate a lessening of fears regarding the probability that . . . we will inappropriately disclose truly confidential information."[29] Establishing detailed matrices or guidelines after GO 66-D's adoption, however, does nothing to allay such fears.

III. THE COMMISSION SHOULD NOT REVISE GO 66-C UNTIL AFTER IT HAS CONDUCTED WORKSHOPS TO ASSESS THE NATURE OF ANY PROBLEMS WITH THE EXISTING CONFIDENTIALITY RULES.

Although the Communications Industry Coalition does not believe that wholesale revisions to GO 66-C are necessary, to the extent that the Commission considers any revisions to GO 66-C, it must do so only after the Commission holds workshops on and resolves all procedural and substantive issues. Adoption of a new proposed process such as set forth in GO

[27] Revised Draft Resolution at 29.
[28] *Id.* at 24 (emphases added).
[29] *Id.*

66-D in advance of all the contemplated workshops would be contrary to law, impractical, and inefficient.[30]

In workshops, the Commission should consider significant concerns raised by parties as to the elimination of GO 66-C's existing categories, as well as the framework in proposed GO 66-D. The Communications Industry Coalition supports the iterative workshop process outlined in the Revised Draft Resolution and urges the Commission to complete the process in its entirety before adopting a new General Order. Although the Revised Draft Resolution appears to contemplate one or more "procedural" workshops focusing on "potential further revisions to the proposed General Order 66-D," followed by comments prior to the adoption of a new General Order, at least three additional workshops addressing "confidentiality and disclosure issues on a subject matter, or industry specific, basis," are also planned. It is not clear whether these substantive workshops would also precede adoption of the new General Order. They must. In order to provide "clear and consistent" rules for all stakeholders, all planned workshops – procedural and substantive -- must be completed prior to considering the adoption of any new General Order.[31]

Perhaps in recognition that the Commission (and not the staff) is the entity required to determine the public status of utility information/records, the Revised Draft Resolution anticipates that further workshops should be held to develop Commission guidance in the form

[30] Although it appears that the Revised Draft Resolution intends for the Commission to hold at least "one additional workshop" on procedural issues before adopting proposed GO 66-D, Ordering Paragraph 1 would repeal GO 66-C and adopt GO 66-D effective upon adoption of the Revised Draft Resolution. *See also id.* at Ordering Paragraph 9. The Draft Resolution fails to clarify whether workshops on other issues would occur before GO 66-D is adopted.

[31] This is not to suggest that additional workshops following adoption of a new General Order should not be considered, if necessary. Rather, substantive confidentiality issues, specifically identification of specific exemptions to public disclosure requirements, should be addressed before any new General Order is adopted.

of industry-specific matrices of confidential information.[32] The Revised Draft Resolution, however, appears to contemplate that these matrices would be added to GO 66-D only after it has been adopted. As discussed above, the Communications Industry Coalition disputes the necessity of adopting new categories at all, as existing GO 66-C is sufficiently definitive as to which documents should remain confidential. However, if existing GO 66-C categories are eliminated, the Commission must provide adequate guidance as to the confidential nature of certain types of documents with GO 66-D, not after GO 66-D is adopted.

For these reasons, the Commission's guidance in the form of categories of confidential information is a necessary precondition to staff's ability to implement proposed GO 66-D. To the extent the Commission intends to repeal GO 66-C, the Commission must first hold workshops on all outstanding issues related to the submission and treatment of confidential information.

IV. IF THE COMMISSION DECIDES TO REVISE ITS CONFIDENTIALITY RULES AT THIS TIME, IT SHOULD ADOPT ONLY MODIFICATIONS REGARDING SAFETY-RELATED DOCUMENTS.

The Revised Draft Resolution is premised on providing public access to Commission records.[33] But the Revised Draft Resolution makes clear that with respect to documents controlled by the Commission, the public interest rests primarily with access to certain safety-related documents:

> The vast majority of our resolutions authorizing disclosure of records are issued in response to those seeking records relating to our investigations of incidents

[32] The Revised Draft Resolution also directs staff to take various other actions that require further resolution in workshops, such as the preparation of guidelines for access to public records and development of an index of broad classes of records by the Commission, with a description of whether the class of records is available to the public or not. These aspects of the Revised Draft Resolution also cannot be adopted without further workshops.

[33] Revised Draft Resolution at 1.

> (accidents) involving the facilities and/or operations of electric or gas utilities, railroads, or transit districts.[34]

The Revised Draft Resolution should be re-focused to address CPRA requests for safety-related documents. The Revised Draft Resolution makes a limited attempt to do so by directing staff to "develop a plan for creating an informative safety information portal on our internet site."[35] The documents (or parts thereof) to be publicly posted as part of this safety information portal, however, remain undefined. For example, the Revised Draft Resolution states:

> We will, therefore, authorize disclosure of records of routine safety-related incident investigations, inspections, and audits, once those investigations, inspections, or audits, are completed, subject to appropriate redactions.[36]

While the Revised Draft Resolution provides a list of certain safety-related documents to be made available, it does not explain whether this list is exclusive, nor does it provide clarity regarding what redactions will be made or by whom. Moreover, after describing certain interagency relationships vis-à-vis confidential documents, the Revised Draft Resolution concludes that "[f]or the above reasons, we will stop short of mandating the disclosure of records associated with all Commission safety-related investigations."[37] Thus, with respect to the only type of document that the public has expressed a real interest in seeing based on actual CPRA requests, the Revised Draft Resolution has created significant confusion over what safety documents will be publicly available and what type of information will be redacted from those documents.

While the Communications Industry Coalition recognizes the Commission intends to hold a workshop to address issues related to safety-related documents, it appears this workshop

[34] *Id.* at 10.
[35] *Id.* at 14.
[36] *Id.* at 10.
[37] *Id.* at 11.

will be held only after the Revised Draft Resolution is adopted by the Commission. This is despite the fact the Revised Draft Resolution acknowledges "careful and detail-oriented" work is required in order to produce workable rules.[38] Thus, if the Revised Draft Resolution is adopted in its current form, the Commission will have authorized the disclosure of certain safety-related records without first addressing substantial ambiguities related to what information will be disclosed, thus potentially harming both the utility providing the information and the members of the public seeking access.

The establishment of workable rules to provide the public greater access to safety-related documents should be the Commission's first priority. Accordingly, the Commission should focus on formulating a resolution to address the safety information portal set forth at pages 10 through 14 in the Revised Draft Resolution. This goal is not advanced by a resolution that, however well intentioned, results in uncertainty about which safety documents will be made readily available and what redactions will be made. Establishing a post-resolution workshop process that sweeps in the safety-related records issue along with disclosure issues for all other types of documents would only exacerbate this uncertainty and delay implementation of the new process for disclosure of safety-related documents. The Commission should sever issues related to public access to safety-related documents from the remainder of the issues advanced by the Draft Resolution and place them on a separate, immediate track. A final resolution regarding safety-related documents should be issued prior to addressing issues relating to public access to and confidentiality requests for all other types of documents.

[38] *See id*. at 24 ("Our recognition of the potential for different interpretations of laws, regulations and decisions requiring information to be public, or to be confidential, leads us to the conclusion that we should be as careful and detail-oriented as possible when developing new disclosure/confidentiality matrices, so that we can to the greatest extent practical reduce uncertainties on all sides regarding whether specific types of information submitted to, or generated by, the CPUC will be made available to the public.").

V. CONCLUSION

The proposed GO 66-D remains legally flawed. It must not be adopted because it creates a burdensome and unnecessary process that will significantly impede the flow of information to the Commission, strips providers of the protection of their competitively-sensitive information that if revealed will place them at an undue business disadvantage, and reaches far beyond the provision of documents to the public pursuant to CPRA requests. The arbitrary elimination of the business-disadvantage exemption in GO 66-C contradicts and undermines the Commission's longstanding recognition of this protection without providing any public benefit.

To address the need for public access to documents requested through the CPRA, the Commission should first address access to safety-related documents through a separate resolution process because this is the area of most concern to the public. Before any broad sweeping changes to GO 66-C are made, the Commission must complete all workshops and processes described in the Revised Draft Resolution. The Communications Industry Coalition stands ready to continue to work with the Commission and its staff on this matter.

Dated at San Francisco, California, this 27th day of July 2012.

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